

REMARKS

First, the undersigned would like to thank Examiner Pryor for the discussing this application during a telephone conference on May 17, 2006. It is applicants' understanding based on this conference that the amendments and remarks presented herein overcome the issues presented in the office action. Claims 26-28, 31-58, 67-70 and 73-74 are pending in the subject application. Applicants have herein amended claim 26. This amendment does not involve any issue of new matter. Support for this amendment may be found *inter alia* in the specification as follows: page 10, lines 32-33 and page 12, lines 16-18. Entry of this amendment is respectfully requested.

Rejection under 35 USC § 102(b)

The Office Action rejected claims 26-28, 31-41, 43-56, 58, 67-70 and 73-74 as allegedly being anticipated by Tracy et al. In response, applicants respectfully traverse this ground of rejection. Applicants point out that Tracey teaches the use of divalent cations. In particular, Tracey describes the metal cation-stabilized interferons as containing "at least one type of metal cation, having a valency of +2 or more...Thus, for M^{+n} , n is an integer equal to 2 or more." See column 2, lines 50-53. Moreover, the examples described in Tracey describe the use of the divalent cation Zn^{+2} . See eg, examples 1-7. In contrast, the newly amended claims recite that "if the biopolymer is stabilized by a cation, the cation is a monovalent cation." Accordingly, Tracey does not anticipate the amended claims which preclude the use of a multivalent cation for stabilizing the interferon because any such cation must be monovalent. Applicants submit that these amendments and comments obviate the above rejection and respectfully request that the above rejection be reconsidered and withdrawn.

Rejection under 35 USC § 103

The Office Action rejected claim 42 as allegedly being obvious by Tracy et al. In response, applicants respectfully traverse this ground of rejection. The Office Action states that this rejection was given to address propanol as the elected solvent. In response, applicants respectfully traverse the Examiner's above rejection for the reasons stated above. Claim 42 includes each of the elements of claim 26. Accordingly, Tracey's use of multivalent cations for


stabilizing the interferon teaches away from the use of monovalent cations for stabilizing the interferon. Applicants submit that these amendments and comments obviate the above rejection and respectfully request that the above rejection be reconsidered and withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. PBLI-P01-010 from which the undersigned is authorized to draw.

Dated: June 12, 2006

Respectfully submitted,

By 
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